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Technology Center 2600

S/N 09/439,206

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	JUNG ET AL.	Examiner:	B. PHAM
Serial No.:	09/439,206	Group Art Unit:	2664
Filed:	NOVEMBER 12, 1999	Docket No.:	9983.97US01
Title:	METHOD FOR CONTROLLING TRANSMISSION CONTROL PROTOCOL WINDOW SIZE IN ASYNCHRONOUS TRANSFER MODE NETWORK		

#8/ald
Petition
W/D ABNT
1-7-05

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service, as first class mail, with sufficient postage, in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on December 21, 2004.

By: Kristine A. Wacek
Name: Kristine A. Wacek

REQUEST TO WITHDRAW HOLDING OF ABANDONMENT

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450



Dear Sir:

This communication is in response to the Notice of Abandonment mailed November 15, 2004, citing Applicants' failure to respond to the Office letter mailed July 15, 2003 (copy enclosed). Applicants respectfully submit that the holding of abandonment is in error and withdrawal of the abandonment is requested.

Applicants responded to the Office Action mailed July 15, 2003 by filing an Amendment and Response by Express Mail on October 15, 2003. A copy of the Amendment and Response is submitted herewith along with a copy of the stamped return postcard showing the date received was October 15, 2003. In view of this evidence, Applicants request withdrawal of the holding of abandonment.

It is assumed that the petition fee of \$130.00 is not required in this case. However, if such fee is deemed to be required, it should be charged to the undersigned's Deposit Account No. 13-2725.

Respectfully submitted,

MERCHANT & GOULD P.C.
P.O. Box 2903
Minneapolis, Minnesota 55402-0903
(612) 332-5300

Date: 12-21-04

Curtis B. Hamre

Curtis B. Hamre
Reg. No. 29,165
CBH:PLSkaw



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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JAN 03 2005
Technology Center 2600

JUNG ET AL.
Serial No.: 09/439,206
Filed: NOVEMBER 12, 1999
Confirmation No.: 1387
Due Date: JANUARY 15, 2005
Title: METHOD FOR CONTROLLING TRANSMISSION CONTROL WINDOW SIZE
IN ASYNCHRONOUS TRANSFER MODE NETWORK

Examiner: B. PHAM
Group Art Unit: 2664
Docket: 9983.97US01

CERTIFICATE UNDER 37 CFR 1.8:

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on December 21, 2004.

By:

Name:

Kristine A. Wacek
Kristine A. Wacek

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

23552

PATENT TRADEMARK OFFICE

Sir:

We are transmitting herewith the attached:

- ☒ Transmittal Sheet in duplicate containing Certificate of Mailing
- ☒ Other: Request to Withdraw Holding of Abandonment, copy of Notice of Abandonment, copy of Amendment and Response mailed October 15, 2003 including stamped return postcard showing the date received in the Patent Office was October 15, 2003
- ☒ Return postcard

Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers or any future reply, if appropriate. Please charge any additional fees or credit overpayment to Deposit Account No. 13-2725. A duplicate of this sheet is enclosed.

MERCHANT & GOULD P.C.
P.O. Box 2903, Minneapolis, MN 55402-0903
612.332.5300

By:

Name: Curtis B. Hamre

Reg. No.: 29,165

CHamre:PLSkaw

Curtis B. Hamre



UNITED STATES PATENT AND TRADEMARK OFFICE

DEC 27 2004

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/439,206

11/12/1999

JAE IL JUNG

9983.97US01 ✓

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7590

11/15/2004

MERCHANT & GOULD PC
P.O. BOX 2903
MINNEAPOLIS, MN 55402-0903

CBH

EXAMINER

PHAM, BRENDA H

ART UNIT

PAPER NUMBER

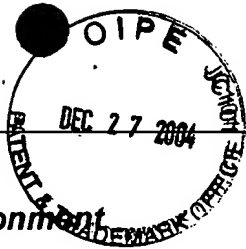
2664

DATE MAILED: 11/15/2004

FINAL REVIVAL: JAN. 15, 2005
DV

Please find below and/or attached an Office communication concerning this application or proceeding.

RECEIVED
JAN 03 2005
Technology Center 2600

**RECEIVED**

JAN 03 2005

Notice of Abandonment

Application No.

Technology Center 2600

09/439,206

JUNG ET AL.

Examiner

Art Unit

Brenda Pham

2664

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

This application is abandoned in view of:

1. ☒ Applicant's failure to timely file a proper reply to the Office letter mailed on 15 July 2003.
 - (a) ☐ A reply was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply (including a total extension of time of _____ month(s)) which expired on _____.
 - (b) ☐ A proposed reply was received on _____, but it does not constitute a proper reply under 37 CFR 1.113 (a) to the final rejection. (A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114).
 - (c) ☐ A reply was received on _____ but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non-final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box 7 below).
 - (d) ☒ No reply has been received.
2. ☐ Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).
 - (a) ☐ The issue fee and publication fee, if applicable, was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85).
 - (b) ☐ The submitted fee of \$_____ is insufficient. A balance of \$_____ is due.
The issue fee required by 37 CFR 1.18 is \$_____. The publication fee, if required by 37 CFR 1.18(d), is \$_____.
 - (c) ☐ The issue fee and publication fee, if applicable, has not been received.
3. ☐ Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).
 - (a) ☐ Proposed corrected drawings were received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply.
 - (b) ☐ No corrected drawings have been received.
4. ☐ The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.
5. ☐ The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.
6. ☐ The decision by the Board of Patent Appeals and Interference rendered on _____ and because the period for seeking court review of the decision has expired and there are no allowed claims.
7. ☐ The reason(s) below:

Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.